IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

E/S Notchcliff Road, 1040 ft. S *

of c/l Glen Arm Road 11529 Notchcliff Road 11th Election District 6th Councilmanic District Margaret Nolan, et al

Petitioners

* BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 95-295-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Margaret Nolan, Darlene Nolan, Marlene Nolan and Nellie V. Nolan, property owners, for that property known as 11529 Notchcliff Road in northern Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 12 ft. lot line setback in lieu of the required 50 ft. The relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits

ORDER FESTIVED FOR FILING
Date

Obtie

M. Hondy

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24 day of March, 1995 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 12 ft. lot line setback in lieu of the required 50 ft. be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated March 13, 1995, attached hereto and made a part thereof.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

March 23, 1995

Ms. Margaret Nolan 11529 Notchcliff Road Glen Arm, Maryland 21057

RE: Petition for Administrative Variance

Case No. 95-295-A

Property: 11529 Notchcliff Road

Margaret Nolan, Darlene Nolan, Marlene Nolan and Nellie V. Nolan,

Petitioners

Dear Ms. Nolan:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

Auf A



Petition for Administrative Variance

95-295-A to the Zoning Commissioner of Baltimore County

for the property located at

11527 Notchcliff Road

Glen Arm, MD

which is presently zoned

RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 A 04.3. B. 3. to permit a 12' lot line scallack in liem of 50.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

- 1. Moving addition away from property line or off to southern end of the house would be closer to the approved well & septic system.
- 2. Rock outcropping exists to the south of the house.
- 3. Addition to south will increase cost not covered under loan agreement from Balto. Co..

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	1	,	
		_	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the tegal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee			Margaret Nolan Legal Owner(s): Margaret Nolan Darlene Nolan
None			Märgaret Nolan Darlene Nolan
(Type or Print Name)			(Type or Print Name)
Signature			Marlene Nolan Mellie V Mola
Address			Marlene Nolan Nellie V. Nolan (Type or Print Name)
City	State	Zipcode	Signature
Attorney for Petitioner.			
None			11529 Notchcliff Road 592-7017
(Type or Print Name)			Address Phone No.
			Glen Arm, Maryland 21057
Signature			City State Zipcode Name, Address and phone number of representative to be contacted.
	/		
Address	Phone No.	 	Name
City	State	Zipcode	. Address Phone No.

Zoning Commissioner of Baltimore County



REVIEWED BY: MK DATE: 2/22/95
ESTIMATED POSTING DATE: 3/5 /95



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ITEM #: 292

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

		Clan Arm	Maryland	21057
		Glen Arm,	State State	Zip Code
ZTT	t based upon personal knowledge, the foll		which Tave hase the request for :	an Administrative
I na Varia	nce at the above address: (indicate hardship)	or practical difficulty)	men we case the request for	
<u>.</u>	House exists within 20	feet of proper	ty line.	
2.	Balitmore County Dept.	of Environment	: has approved a w	ell and septic sys
	Moving the addition to	the south side	of the house wou	ld move closer
	to this area. The wel	1 and septic ca	in not be relocate	d on site.
}.	A rock outcropping exi	sts to the sout	th of the house.	
i .	Other methods of const	ruction would i	ncrease the cost	and the
	County agency will not	fund them.		
may 90 2ar		olan z	Marlene Nolan	1 14 21- 11
may gar (signa	be required to provide additional information of the provided additional information of the provided additional information of the print name)	olar A A A A	Marlene Mole	Mellie V. Molo
may Car (signs (type	be required to provide additional information of the provide additiona	LTIMORE, to wit:	Marlene Nolan (signature)	Mellie V. Mola
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type ST. I H of M the	be required to provide additional information of the Nolan Darlene Nature) Or print name) ATE OF MARYLAND, COUNTY OF BAIL EREBY CERTIFY, this	LTIMORE, to wit: of Felvary personally appeared of law, otherwise the state of t	Marlene Nolan (signature) (type or print name) , 19 95, before me, a Nolan (as leve Nolan No	Nellie V. Mola Nellie V. Nola otary Public of the State

95-295-A

Nolan Residence 11529 Notchcliff Road Baltimore County, Maryland

HISTORY

The house has existed on this property for approximately 100 years. Lot size is one acre. The house has not a well or septic system. The Nolan family has been living in the house for approximately 70 years.

The Nolan's have applied for a low interest loan to drill a well and install a septic system. The well location and septic system have been approved by the County. Because of poor percolation and existing streams on both sides of the property the location of the septic system can not be moved on the site, (see enclosed site plan and approved septic system).

ZONING

The property is zoned RC5 with a restriction of a 50' setback along the rear building line. The existing house, northeast corner is 20 feet from the property line, (see site plan). The variance requested is to allow an one story addition to be built off the rear of the property. The rear corner of the addition would be 12 feet from the property line, (see site plan and floor plan).

HARDSHIP

Hardship involved in this case as follows:

- 1. The well and septic system can not be relocated on property.
- 2. A solid rock out-cropping exist to the southeast of the proposed addition. This could only be removed by blasting which would be costly and would damage the existing house and foundation.
- 3. Baltimore County Department of the Environment has designed and approved an experimental sewage disposal system for this dwelling. One of the parts of this system is a sand filtration compartment which the affluent liquid waste is circulated through before being released to a drain field. The top of this chamber is above grade and has a wooden covering top which is to open for cleaning and maintenance. The design criteria for this chamber requires that it be located as far as possible from the dwelling and the well location. Moving the addition to the south or west would bring the dwelling closer to this chamber, and present a health hazard to the occupants.
- 4. Department of County Development has approved a \$30,312.50 loan. This was an increase of \$10,312.50 from the original County commitment. The requirements of the County and State Department of Environment are now increasing the cost by an additional \$7,295.00 to a total of \$37,607.50. The County lending commitment and our ability to repay this amount of loan will not allow for additional cost increases.
- 5. The water and septic system to be installed will improve the health and well being of the homeowners. It will also improve the water quality of the surrounding area. To not install these systems will have the opposite affect.

page 2 Nolan Residence

95-295-A

REFERENCE COUNTY AGENCIES

Mr. Richard Campbell

Dept. of Community Development

887-2288

Mr. Robert Powell

Dept. of the Environment

887-2762

Date: 2/20/95

Date: 2/20/95

Date: 2/20/95

Date: 2/20/95

Margaret L. Nolan
Margaret L. Nolan

Olulene Nolan

Darlene Nolan

Marlene Nolan

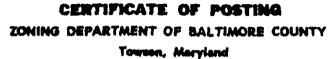
95-295-A

ZONING DESCRIPTION

Zoning Description for 11529 Notchcliff Road Election District 11, Councilmanic district 6

Beginning at a point on the east side of Notchcliff Road, 1040 feet south of the centerline of Glen Arm Road, which is 24 feet in width. Lot is 820 feet from Notchcliff road on a gravel driveway. The deed is recorded in the Baltimore County land records Book number 10617, Folio number 257. North 20 degrees west 19 2/10 perches to a stone planted, thence south 69 1/4 degrees west 14 1/2 perches to a stone planted, thence south 32 1/2 degrees east 5 3/10 perches to a stone planted, thence south 63 1/4 degrees east 18 8/10 perches to the beginning. Containing 1 acre and 2 square perches, more or less.

292



95-295-1

Posted for: It was Variance	Date of Posting 3/1/95
Posted for: Adm Variance	
Petitioner: Margar-t Darleny, Merlen	+ Nollis 1- Nolary
Petitioner: Margar-t, Darleny, Merlens Location of property: 11529 Notch diff	d. Els
Location of Signa: Tool way on for	roporty being zone de
Remarks:	
Posted by Manager	Date of return: 3/10/93
Signature Number of Signat	was the transfer and th



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Zoning Administration &
Development Managersent
11 West Classopeake Avenue
Tor son, Maryland 21204

Date 2/22/95

Nolan, Margoret - 11529 Notchelift Rel

010 - Zonny Vacionce - \$ 50.00

080- 1 sign posting - \$ 35.0+

70/ml - \$185.0+

1966 198

Account: 12-001-6150

Number

Idem Kumber: 29dd Taken In By: Ontok

Willowit Property

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Please Make Checks Payable To: Baltimore County



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising:

Item No.: 292

Petitioner: Margaret Nolan

Location: 115 29 Notcheliff Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Margaret Nolan

ADDRESS: 115 29 Notcheliff Road

Glen Arm, mo 21057



AJ:ggs

WILKOPILMED

PHONE NUMBER: 592-7017

ARNOLD JABLON, DIRECTOR

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

March 2, 1995

(410) 887-3353

NOTICE OF CASE NUMBER ASSIGNMENT

Re:

CASE NUMBER: 95-295-A (Item 292)

11529 Notchcliff Road

E/S Notchcliff Road, 1040' S of c/l Glen Arm Road

11th Election District - 6th Councilmanic

Legal Owner(s): Margaret, Darlene, Marlene and Nellie V. Nolan

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

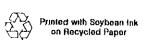
- 1) Your property will be posted on or before March 5, 1995. The closing date (March 20, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: Margaret Nolan, et al

MICROFILMEL





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

March 13, 1995

Ms. Margaret Nolan Ms. Darlene Nolan 11529 Notchcliff Road Glen Arm. Maryland 21057

RE: Item No.: 292

Case No.: 95-295-A

Petitioner: Margaret Nolan, et al

Dear Ms. Nolan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on February 22, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

') Con Richard M.

W. Carl Richards, Jr. Zoning Supervisor

WCR/jw
Attachment(s)

Carry Carry of - 1



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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

Mr. Arnold Jablon, Director

March 13, 1995

Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT:

Zoning Item #292 - Nolan Property

11529 Notchcliff Road

Zoning Advisory Committee Meeting of March 6, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Ground Water Management

The zoning variance approval is necessary in order to accommodate the proposed addition and installation of plumbing.

JLP:DL:TE:sp

NOLAN/DEPRM/TXTSBP

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 03/08/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Daltimore County Office Building
Towson, MD 21204
PAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Centlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this two.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 291 (292,)293 AND 294.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper



O. James Lighthizer Secretary Hal Kassoff Administrator

3-8-95

Ms. Joyce Watson Zoning Administration and **Development Management** County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

Baltimore County
Item No.: + 292 (MTK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

BS/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 7, 1995

Zoning Administration and Development Management

FROM:

Pat Keller, Director

Office of Planning and Zoning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 292

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL

Nolon Résidence-11529 Notcheliff Rel Baltimore County, M.d. Distill Pump Calculations ~ Plow = 8 perforations X 1.63 gpm = 13,04 gpm ~ Design Head = statio Head + Friction Head In static Head A) Relative elevation of existing grade at pump chamber is o ~ chamber to be installed with top of tank at grade ~ pump elevation is 0'- [80"(height of tank) - 4 (thickness of Bottom) - 6 "Pumpeler. above floor)] = -5.83 B) Relative elevation of existing grade at RSF is+1,75 ~ RSF to be installed 2 below grade therefore I'l Intents will be h 33' above existing grade at RSE or relative elen of 3.08 Total state head = 3.08 - (-5.83 = 8.91 I Friction Head ~ 3" Force main 17,2 / hongth ... +3-90° =115 = 10 each = 301_ 6'ench = 24

+ 4- 45° E115

#292

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MUNCHIMEL

+ reduction to 2" filting = 3' + gate value in pump clamber = 2' Total = 76.2 Friction loss = 76.2/ x(=.07) = 0.05 ~ 2" manifold 2' length + 2-90° E/15' = 7'end = 14' + 1 Tee = 10enh = 10 - Total 26', Friction loss = 26' x (0.35) = 0.09' Total friction Head = 0.14 Total Design Head = 0.141+8.91/+2/= Inside dimensions of pumping chamber 41" wite (3,42') x 89" tong (2,42') = 25.38 to (7,45 gal/6+3) (25.38to) (depthotsen,) = 20 gal dose depth of son = 0.37 = 4.5 dose 70 gal dose = 4,5" vatical depth of sewage in pump chamber

SOIL DATA INFORMATION

			archy ha	E.U. 6 DATE 11/194
SUBDIVIS	[ON: <u> </u>	<u>(olan Ke</u>	sidence.	TESTER: Brunner
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<u>A</u>				clay : Rock 0-3'
Z		3min	- 4½ !	clay 0-41/2', BGn. 41/2-10' water
C				Clay 0 - 6 Figh 6 - 10' water
D				Clay + rock 0 - 6 water
			,	1
				This 2 bedroom home has 4 rooms total.
				The proposed addition would add I bath
				and expand the kitchen so that the kitchen is eat in.
test	A	rom Mar	Same Pro	perty D-11 - Dense heavy loam 0-30" BGn 30" - 7.5' water
				1/2/94
			1	
			<i>u</i>	Tom Ernst disapproves of proposed well tocation ishes to investigate placing it across stream -
			1	1/30/94 Inspected of Rob Powell, results are:
				1) Placement of well across stream is not possible
				2) Recirculating Sand litter system feeding into a.
				sand linear trench, 5' deep for test B
			1	6/3' deep for test C

SOILD/DEPRM/GWMADM

#292

to be considered - Discussed with Richard Campbe

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT SOIL DESCRIPTION

SITE/LOCATION SOIL MAP UNIT	CATION P UNIT	Notes	Noteheliff Rd.			DATE	DATE 12/15/94
11	10T010				GEULUGIC MAIERIAL		DESCRIBED BY BANNEY
Horizon	Depth In.	Color Matrix Mottles	or Mottles	Texture	Structure Grade Type	% Rock Fragments	% Rock Fragments Notes (Moisture, Density, Biopores, Seepage)
Ap	Ap 0-5"	104R		1:8	mod		
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19	52, 10"-25" 10yR	10×18-		SiL	mod/wk SAB		mo-derak root structure
707	25"-31"	10 yr. 5/4		78	weak SAB		Sticky, weak root structure
	32-60" 104E	10.7R		F.S	Shrong SAB	15%	gravelly
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Adjoining Property Owners

Tax Map 62

Pikeville Sportsman Club 1 Alherton Road Timonium, Maryland 21093 Tax #389

Helen & Arthur Magsamen 4817 Bout Allen Road Baldwin, Maryland 21013 Tax #421

Evelyn S. Bressler 11908 Long Green Pike Glen Arm, Maryland 21057 Tax # 53

Mark Berry 11509 Notchcliff Road Glen Arm, Maryland 21057 Tax #113

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292

6 186) PIKE process cr P. 388 1DA M. ECKHART, ETAL 6446/750 223:15 A. P.53 P.389 P113 (A 355 P.421 P.350 P341 IRVINS ERDMAN P.321 W <u>शिवेड</u>] 649:643

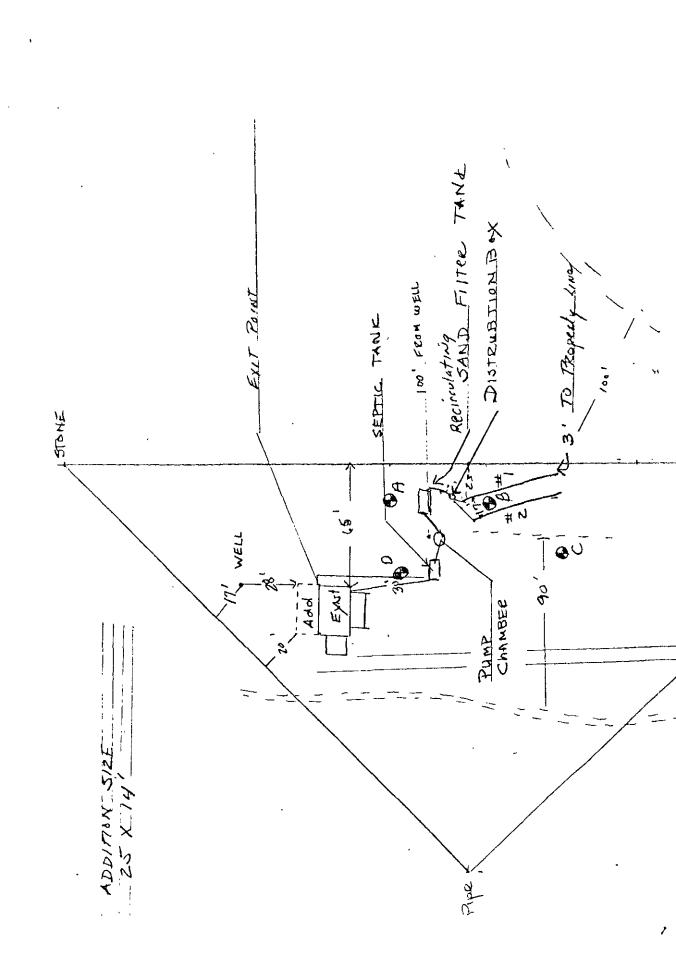
Lumi Existing grade attendis: Dist. Box - Relative elections: install bottom of social . demotes Per testsites Existing Grade at Sond filter site Relative Clos. CHAMBER SAND FILTER Trench 272- 7017 1 SEPTIC install top of pumpensaber at punp clienter Fump 4" Return from RS+ Relative Flow 0 Existing grade 2 NOLAN RESIDENCE H292 Septic tonk 2 - comportment

上部

BALTIMOIZE CO. MID 21057

71529 NOTCHCLLFF ROAD

" # ELECTION 6" COUNCILMANIC DISTRIC



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-- Nolan Residence.

11529 Notchcliff Rd. Dist.11

Bultimore County, Md.

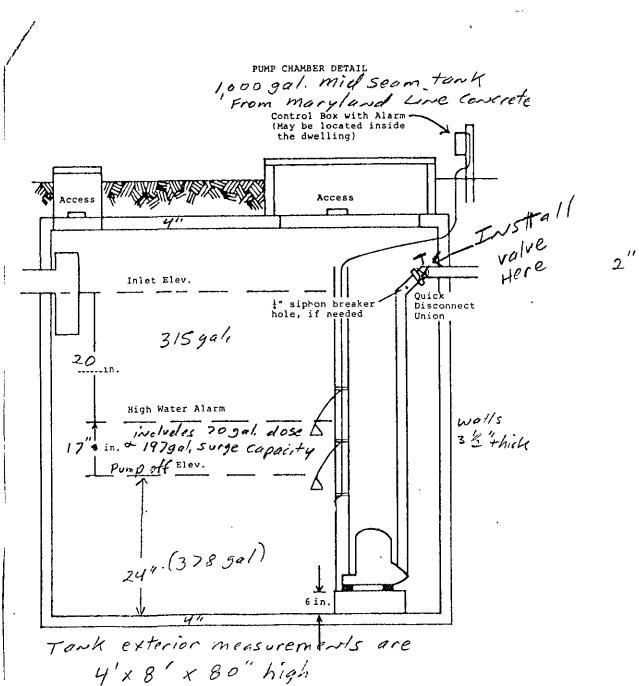
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Existing Ground Elevation 0.0 CAR TI	ると	<u>:</u> Α
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depth of water table 1 8.0

PROFILE OF SAND LINED TRENCHES

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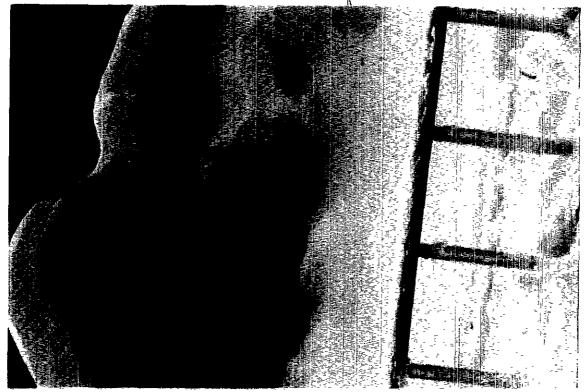
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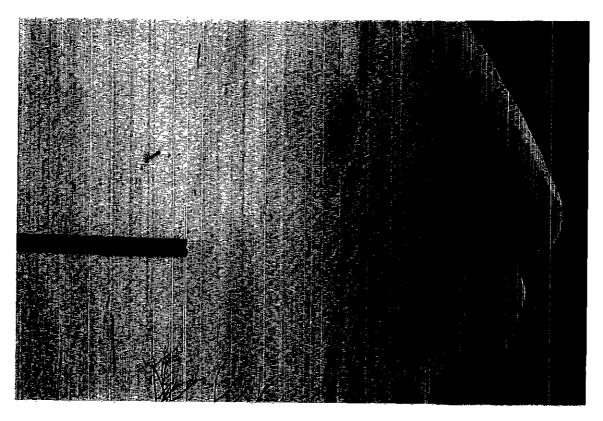


2" md. #2.

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red by: Robert	North Deive way				The state of the s	H-Z	19-6:	Parket 14/200 I an ordered	Z. H.	38438 J. 10 230 - 24 I	,tolia#,lot#	Plat to accompany Petition PROPERTY ADDRESS: 11529 16teles F
Scale of Drawing: 1"= 10 - 0	, , , , , , , , , , , , , , , , , , ,			Exist.	Existing		14723-40	Addition			section# 95-2	for Zon
Jan 3 Han	1 400	. [Prior Zonin		Zoning: Lot size:	1"=200" scale map#:	LOCATION Districts	prostrakernosen pacoyonasen	STATE OF THE PARTY		A CONTRACTOR OF THE PARTY OF TH	Variance
	Office USE ONLY! y: ITEM #: CASE#:		,		RCS 44 000.	ale map#:	NFO 小	Vicinity Map North scale: 1"=1000"	Note*	THE WOLAND	RC AGANDISE	Special Hearing

Roch ledge





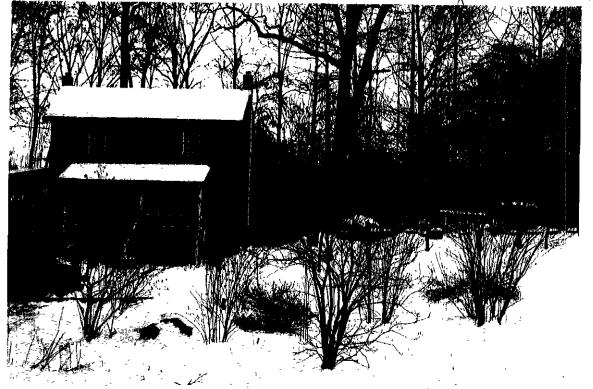
Well States and rock ledge.

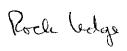


5 pring head light rear house

95-295-A

Nolan House - Right Front - Roch to



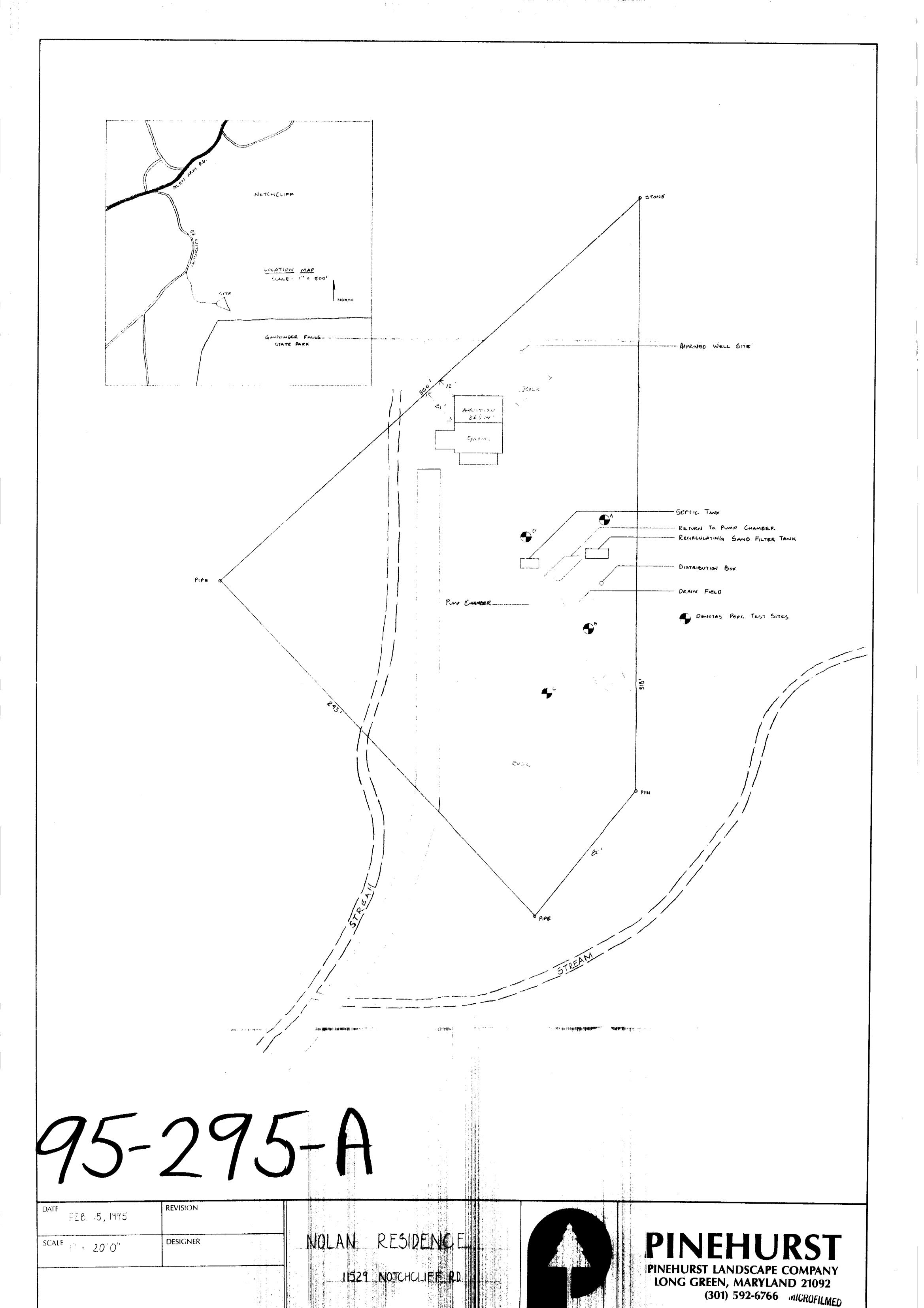




Roch ledge left rear.



Nolan House Left port. Stream to Left [Drive way.

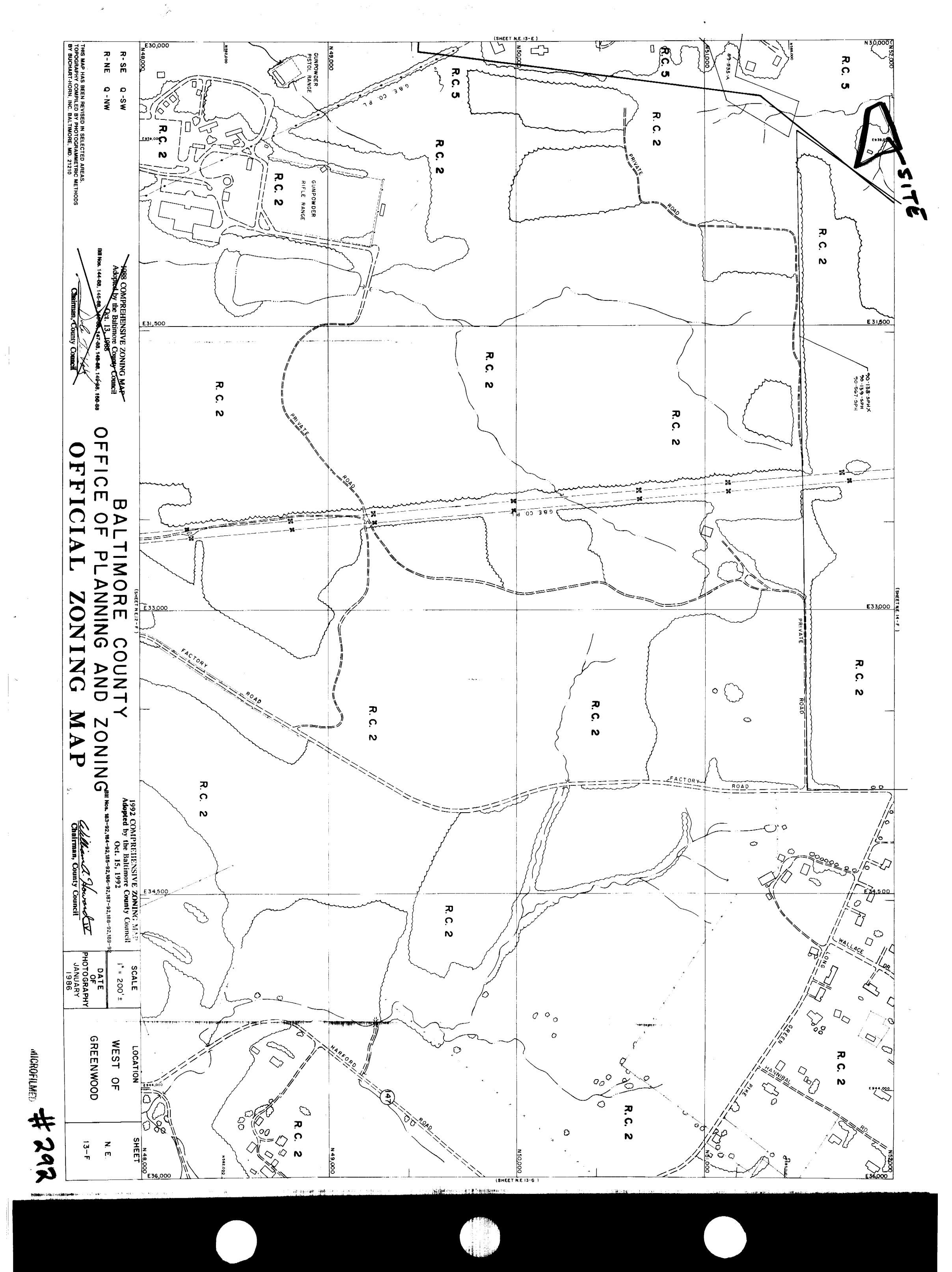


297

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

WEST OF
GREENWOOD

1" = 200'±



95-295-A

This document was created with the trial version of Print2PDFI
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IN RE: PETITION FOR RESIDENTIAL * BEFORE THE ZONING VARIANCE E/S Notchcliff Road, 1040 ft. S * ZONING COMMISSIONER of c/1 Glen Arm Road * OF BALTIMORE COUNTY 11529 Notchcliff Road 11th Election District * Case No. 95-295-A 6th Councilmanic District Margaret Nolan, et al Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

This matter comes before the Zoning Commissioner as an administrative variance filed by Margaret Nolan, Darlene Nolan, Marlene Nolan and Nellie V. Nolan, property owners, for that property known as 11529 Notchcliff Road in northern Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 12 ft. lot line setback in lieu of the required 50 ft. The relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24 day of March, 1995 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 12 ft. lot line setback in lieu of the required 50 ft. be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated March 13, 1995, attached hereto and made a part thereof.

> Zoning Commissioner for Baltimore County

Printed with Saybean Ink on Recycled Paper

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

March 23, 1995

Ms. Margaret Nolan 11529 Notchcliff Road Glen Arm, Maryland 21057

> RE: Petition for Administrative Variance Case No. 95-295-A Property: 11529 Notchcliff Road Margaret Nolan, Darlene Nolan, Marlene Nolan and Nellie V. Nolan, Petitioners

Dear Ms. Nolan:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

LES:mmn encl.

2. Rock outcropping exists to the south of the house.

ITEM #: 292

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11529 Notchcliff Road Glen Arm, MD which is presently zoned RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1404.3 B. 3. to permit a 12' lot line subject in liea of 50.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or 1. Moving addition away from property line or off to southern end of the house would be closer to the approved well & septic system.

> Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

3. Addition to south will increase cost not covered under loan agreement from Baltimore County.

			legal owner(s) of the property which is the	subject of this Petition
Contract Purchaser/Lessee:			Legal Owner(s).	Darline nola
None			Margaret Molan Margaret Nolan	Darlene Nolan
(Type or Print Name)		,	(Type or Print Name)	Dar Telle Motali
Signature			Signature	4. 11. 1. 1
			Marlene Nolan	Mille V mola.
Address			(Type or Print Name)	Nellie V. Nolan
City	State	Zipcode	Signature	
Atterney for Petitioner:				
None			11527 Notchcliff	
(Type or Print Name)			Address	Phone No.
			Glen Arm, Maryland	<u>21057</u>
Signature			City Name, Address and phone number of rep	State Zipcode
Address	Phone	No	Name	
City	State	Zipcode	. Address	Phone No.

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Bottimore County, in two newspapers of general circulation. throughout Baltimore County, and that the property be reposted Zoning Can missioner of Baltimare County

95-295-A

ZONING DESCRIPTION

Zoning Description for 11529 Notchcliff Road Blection District 11, Councilmanic district 6

Beginning at a point on the east side of Notchcliff Road, 1040 feet south of the centerline of Glen Arm Road, which is 24 feet in width. Lot is 820 feet from Notchcliff road on a gravel driveway. The deed is recorded in the Baltimore County land records Book number 10617, Polio number 257. North 20 degrees west 19 2/10 perches to a stone planted, thence south 69 1/4 degrees west 14 1/2 perches to a stone planted, thence south 32 1/2 degrees east 5 3/10 perches to a stone planted, thence south 63 1/4 degrees east 18 8/10 perches to the beginning. Containing 1 acre and 2 square perches, more or

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Afflant(s) does/do presently reside at 11529 Notchcliff Road Glen Arm, Maryland

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (incleate hardship or practical difficulty)

1. House exists within 20 feet of property line. 2. Balitmore County Dept. of Environment has approved a well and septic system. Moving the addition to the south side of the house would move closer to this area. The well and septic can not be relocated on site.

3. A rock outcropping exists to the south of the house. 4. Other methods of construction would increase the cost and the County agency will not fund them.

Darlene Nolan Marlene Nolan Nellie V. Nolan (signature)

95-295-A Nolan Residence 11529 Notchcliff Road Baltimore County, Maryland

The house has existed on this property for approximately 100 years. Lot size is one acre. The house has not a well or septic system. The Nolan family has been living in the house for approximately 70 years.

The Nolan's have applied for a low interest loan to drill a well and install a septic system. The well location and septic system have been approved by the County. Because of poor percolation and existing streams on both sides of the property the location of the septic system can not be moved on the site, (see enclosed site plan and approved septic system).

The property is zoned RC5 with a restriction of a 50' setback along the rear building line. The existing house, northeast corner is 20 feet from the property line, (see site plan). The variance requested is to allow an one story addition to be built off the rear of the property. The rear corner of the addition would be 12 feet from the property line, (see site plan and floor plan).

Hardship involved in this case as follows:

1. The well and septic system can not be relocated on property. 2. A solid rock out-cropping exist to the southeast of the proposed addition. This could only be removed by blasting which would be

costly and would damage the existing house and foundation. 3. Baltimore County Department of the Environment has designed and approved an experimental sewage disposal system for this dwelling. One of the parts of this system is a sand filtration compartment which the affluent liquid waste is circulated through before being released to a drain field. The top of this chamber is above grade and has a wooden covering top which is to open for cleaning and maintenance. The design criteria for this chamber requires that it be located as far as possible from the dwelling and the well location. Moving the addition to the south or west would bring the dwelling closer to this chamber, and present a health hazard to the

4. Department of County Development has approved a \$30,312.50 loan. This was an increase of \$10,312.50 from the original County commitment. The requirements of the County and State Department of Environment are now increasing the cost by an additional \$7,295.00 to a total of \$37,607.50. The County lending commitment and our ability to repay this amount of loan will not allow for additional

cost increases. 5. The water and septic system to be installed will improve the health and well being of the homeowners. It will also improve the water

Nolan Residence

95-295-A

REPERENCE COUNTY AGENCIES Mr. Richard Campbell Dept. of Community Development 887-2288

Mr. Robert Powell Dept. of the Environment

Date: 2/20/95 Date: 2/20/95

Date: 2/20/95 Date: 2/10/95

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towsen, Maryland

Account: R-001-6150

Item Number: 292

Taken In By: MOK

District 11 If	Date of Posting 3/11/95
Posted for: Idam Variance	
Petitioner: Morger-t Dorleny, Meri	en + Nellis P. Nolon
Location of property: 11529 Notch di	FR. F.JS
Location of Signe: Facing Tood Way	on fragor ty being some de
<i>"</i>	
Remarks:	
Posted by Manual Posted	Date of return: 3/10/93
Number of Signs:	



Notan, margaret - 11529 Notchelift Re

080 - 1 sign postin - \$ 35.0+ 0 Total - \$185.00

> USAU 340 STATICHEC 8A 0010:37AMUS-22-95
> Please Make Checks Payable To: Baltimore County

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon, Director Zoning Administration and Development Management

March 13, 1995

J. Lawrence Pilson Development Coordinator, DEPRM

SUBJECT: Zoning Item #292 - Nolan Property 11529 Notchcliff Road Zoning Advisory Committee Meeting of March 6, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Ground Water Management

The zoning variance approval is necessary in order to accommodate the proposed addition and installation of plumbing.

JLP:DL:TE:sp NOLAN/DEPRM/TXTSBP

Baltimore County Government Office of Zoning Administra and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353 ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions

which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County. This office will ensure that the legal requirements for posting and

advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

 Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising: Item No.: 292

Petitioner: Margaret Nolan Location: 11529 Notcheliff Road

PLEASE FORWARD ADVERTISING BILL TO: NAME: Margart Molan

ADDRESS: 115 29 Notcheliff Road Glen Arm, mo 21057 PHONE NUMBER: 592-7017

Baltimore County Government

Fire Department

Zoning Agenda:

Pursuant to your request, the referenced property has been surveyed

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 291 292, 293 AND 294.

by this Bureau and the comments below are applicable and required to he corrected or incorporated into the final plans for the property.

Fire Marshal Office, PHONE 887-4881, MS-1102F

8. The Fire Marshal's Office has no comments at this time,

700 East Joppa Road Suite 901 Towson, MD 21286-5500

Zoning Administration and

Baltimore County Office Building

REVIEWER: LT. ROBERT P. SALERWALD

RE: Property Owner: SEE BELOW

Davelopment Management

Accold Jablen

Towson, MD 21204

LOCATION: SEE BELOW

Item No.: SEE BELOW

Centlemen:

cc: File

MAIL STOP-1105

Director

Printed on Recycled Paper

(Revised 04/09/93)

(410) 887-4500

DATE: 03/08/95

Baltimore County Government Office of Zoning Administration and Development Management



(410) 887-3353

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-295-A (Item 292) 11529 Notchcliff Road

111 West Chesapeake Avenue

March 2, 1995

Towson, MD 21204

E/S Notchcliff Road, 1040' S of c/l Glen Arm Road 11th Election District - 6th Councilmanic Legal Owner(s): Margaret, Darlene, Marlene and Mellie V. Molan

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before Harch 5, 1995. The closing date (March 20, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will on to public hearing.

2) In cases requiring public bearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

cc: Margaret Nolan, et al

Printed with Soybean Ink

Baltimore County Government
Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

March 13, 1995

Ms. Margaret Nolan Ms. Darlene Nolan 11529 Notchcliff Road Glen Arm, Maryland 21057

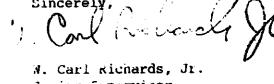
> RE: Item No.: 292 Case No.: 95-295-A Petitioner: Margaret Nolan, et al

Dear Ms. Nolan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on February 22, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).



Johing Supervisor

Attachment(s)

Printed with Soybean Ink

WCR/jw

Maryland Department of Transportation State Highway Administration

O James Lighthizer Hal Kassoff Administrator

3-8-95

Re: Baltimore County

Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Zoning Administration and

Development Management

County Office Building

Dear Ms. Watson:

Ms. Joyce Watson

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Engineering Access Permits

My telephone number is ______ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Malling Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21282 BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration and

DATE: March 7, 1995

FROM: Pat Keller, Director Office of Planning and Zoning

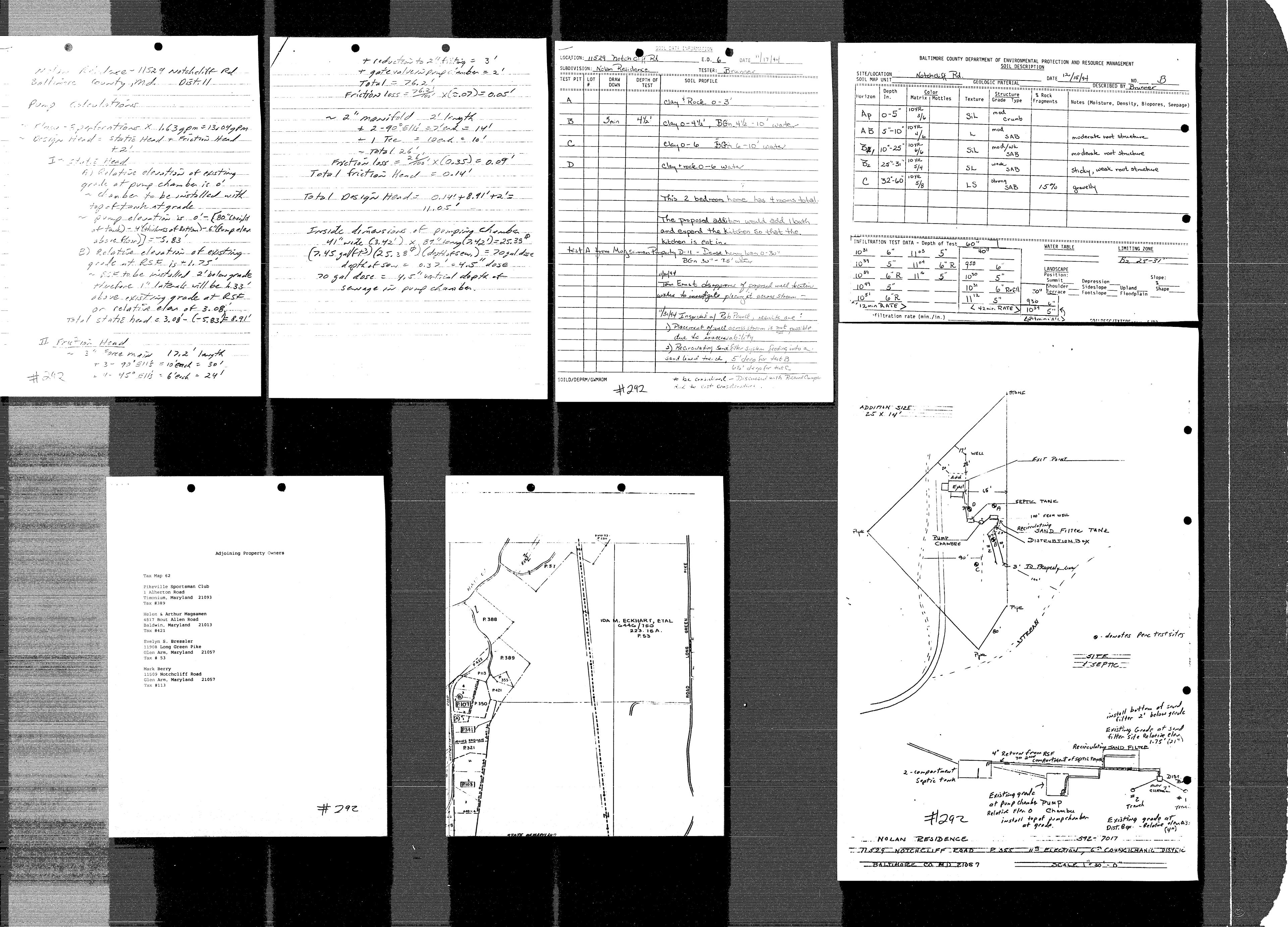
Development Management

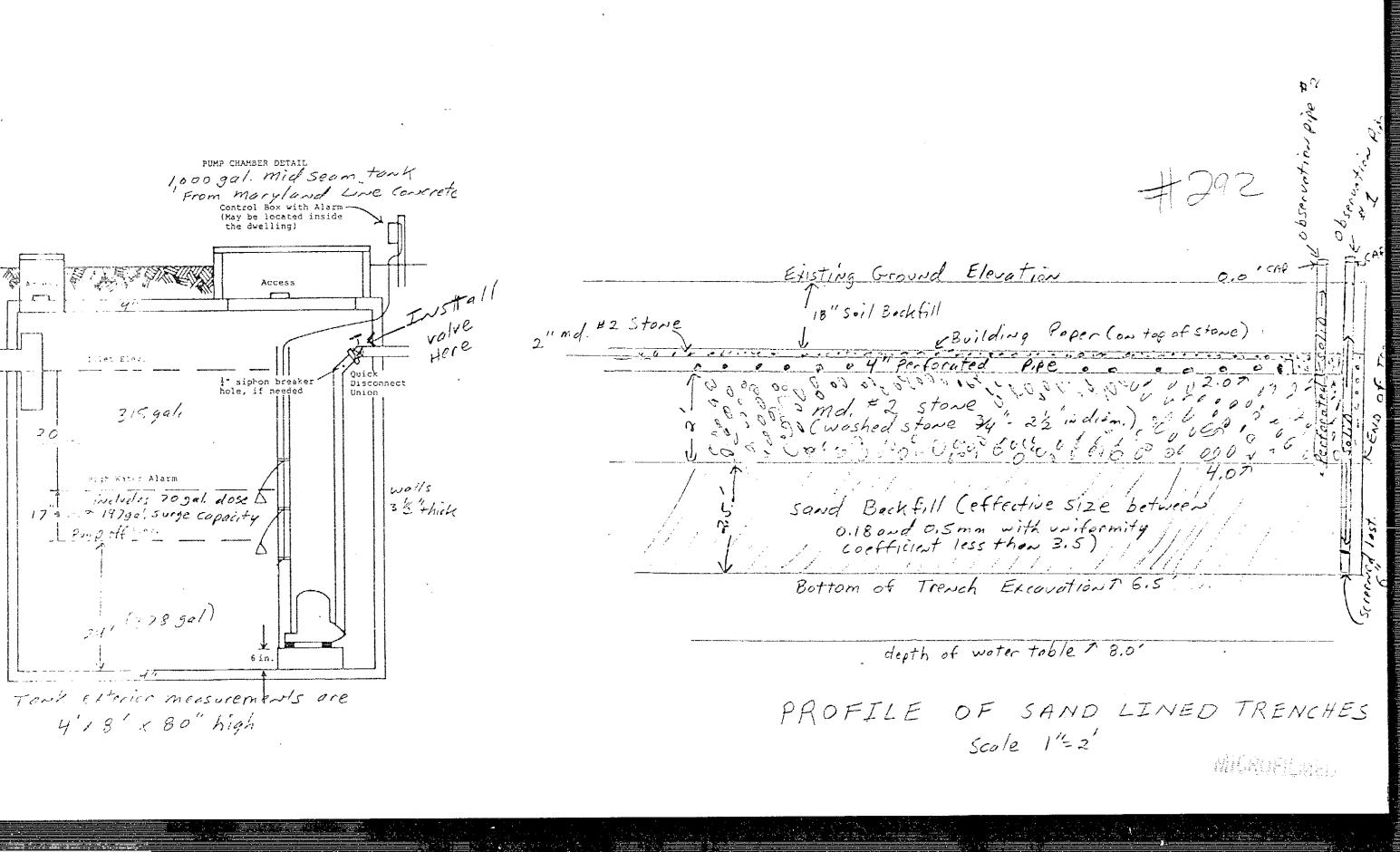
Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s): Item No. 292

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

ITEM292/PZONE/TXTJWL

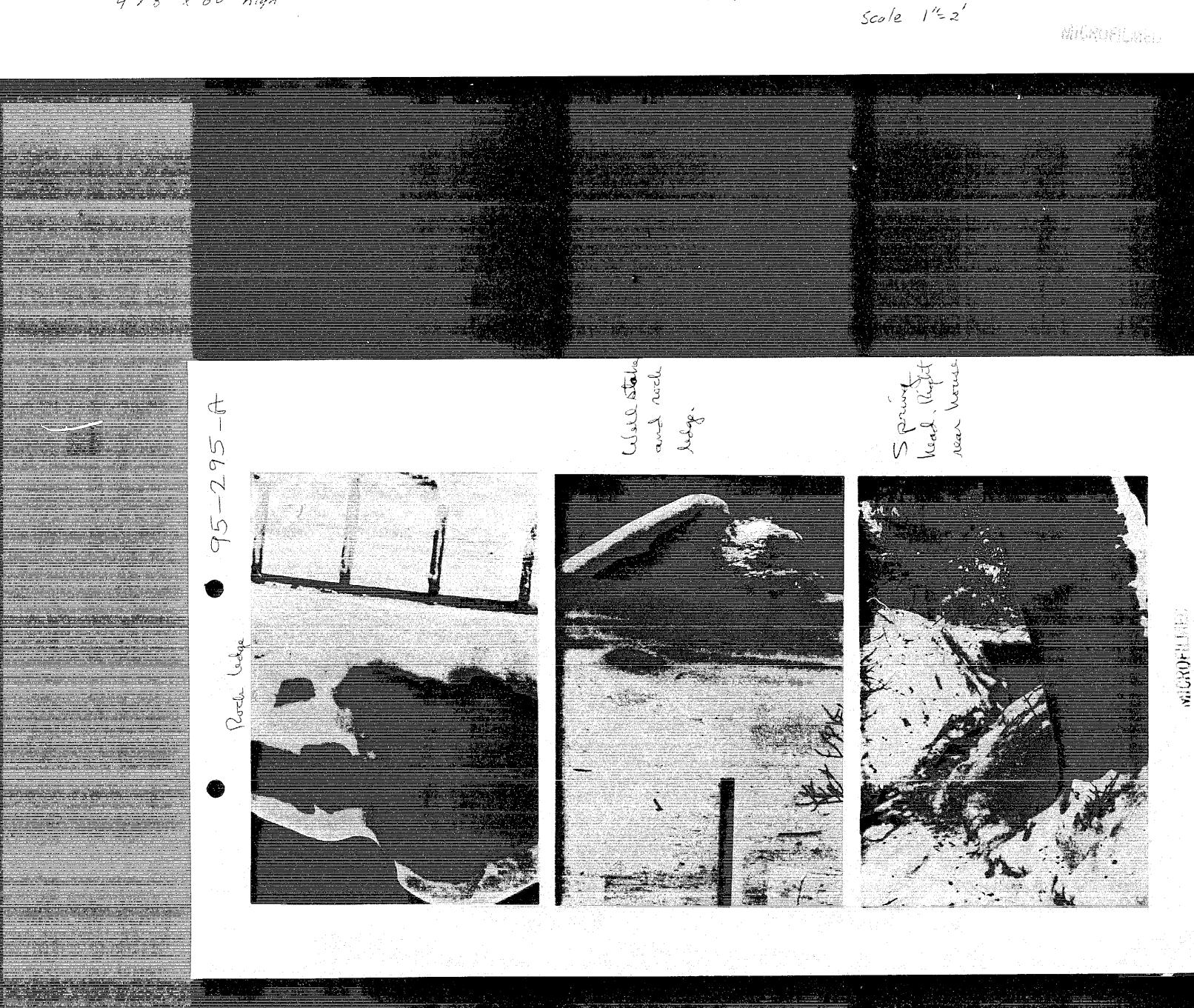


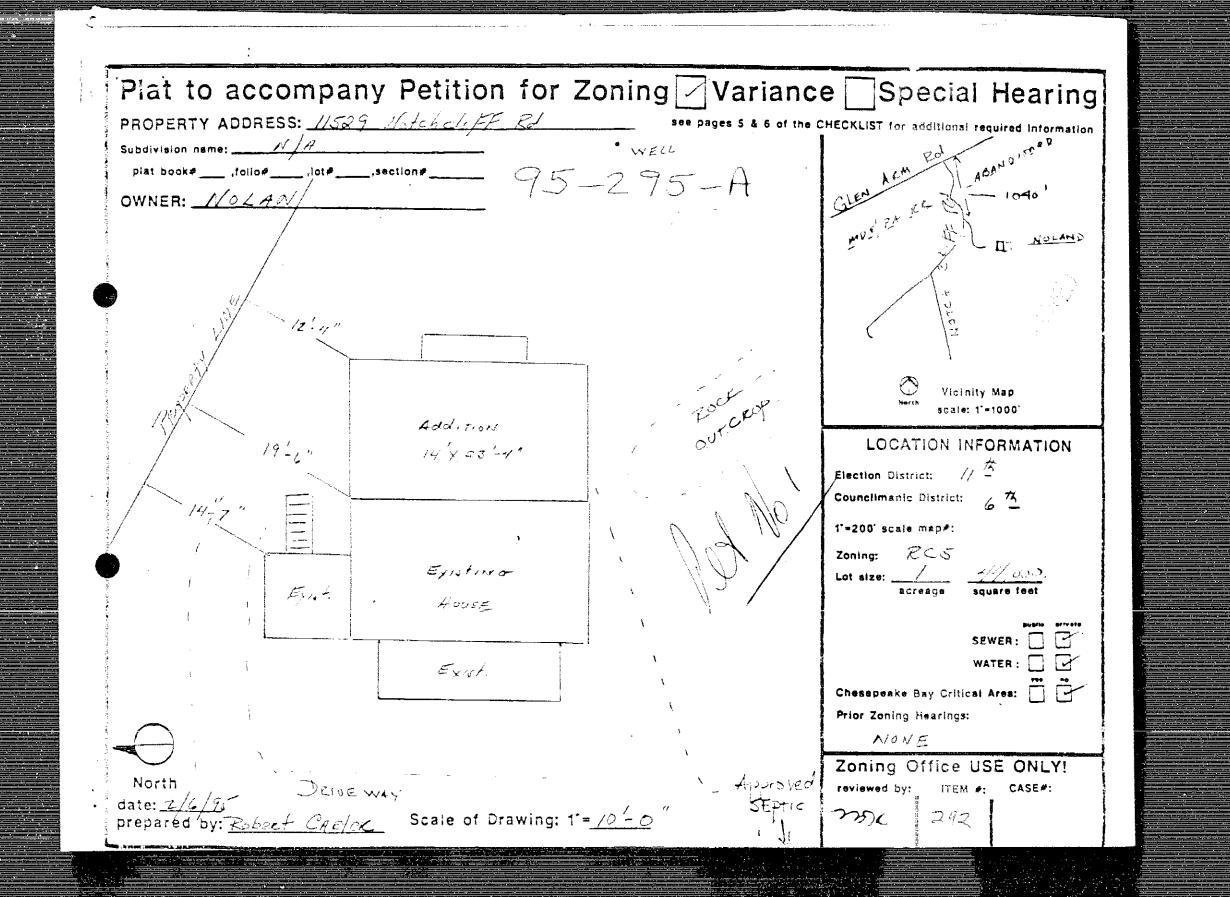


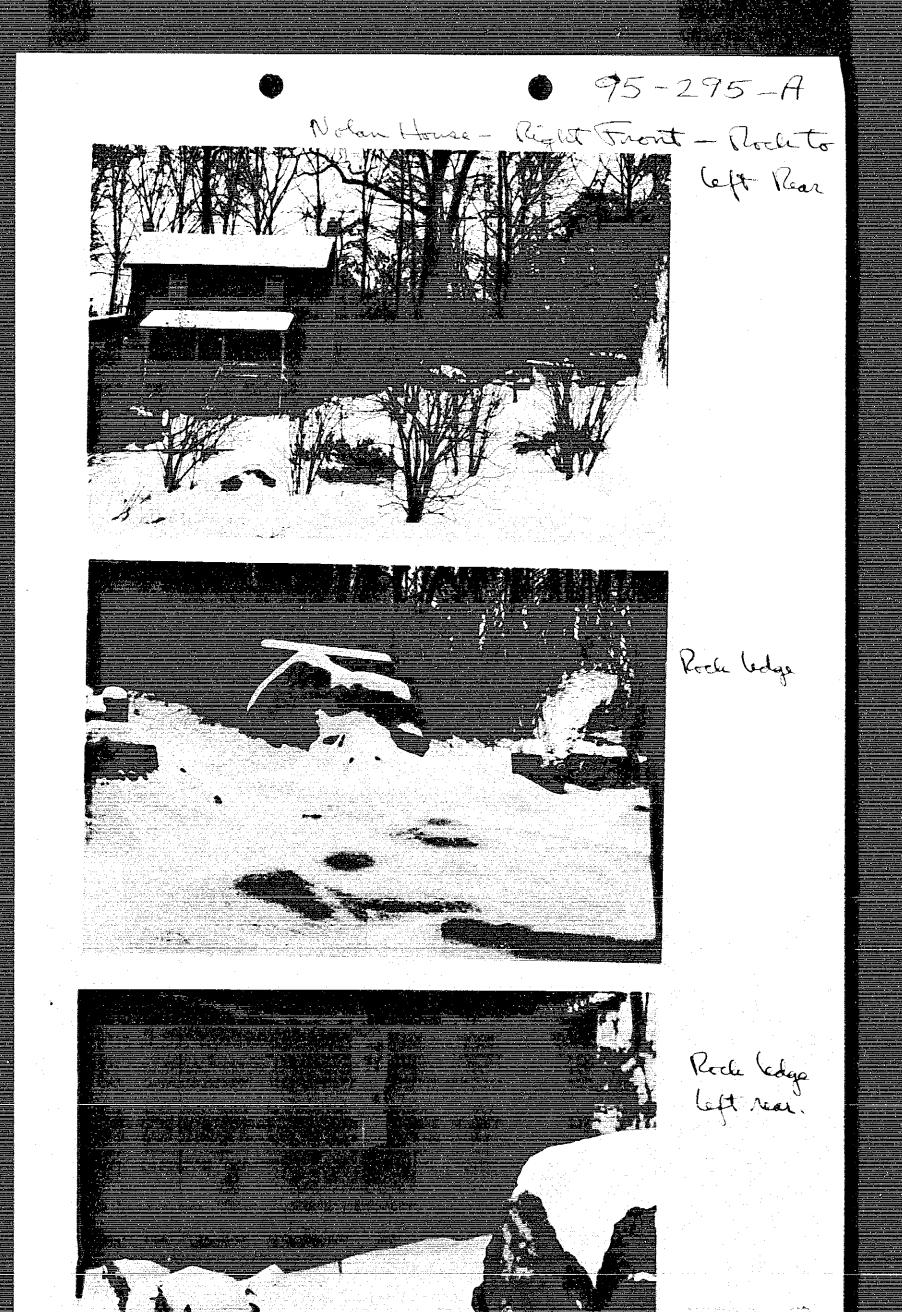
Notan Residence.

- 11529 Notcheliff Rd. Dist.11

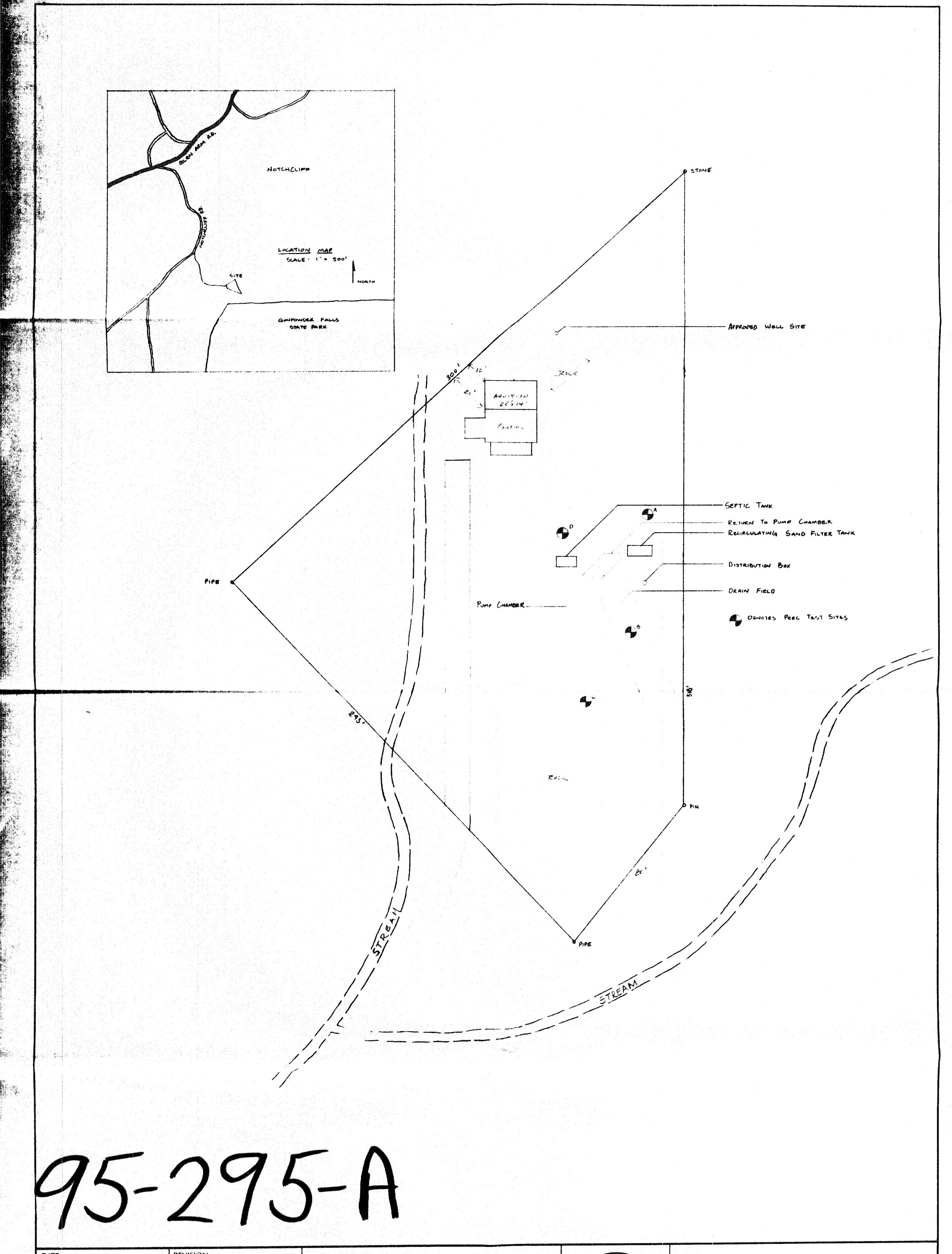
Bultimore County, md.











DATE
FEB. 15, 1995

SCALE 1" - 20'0"

DESIGNER

NOLAN RESIDENCE

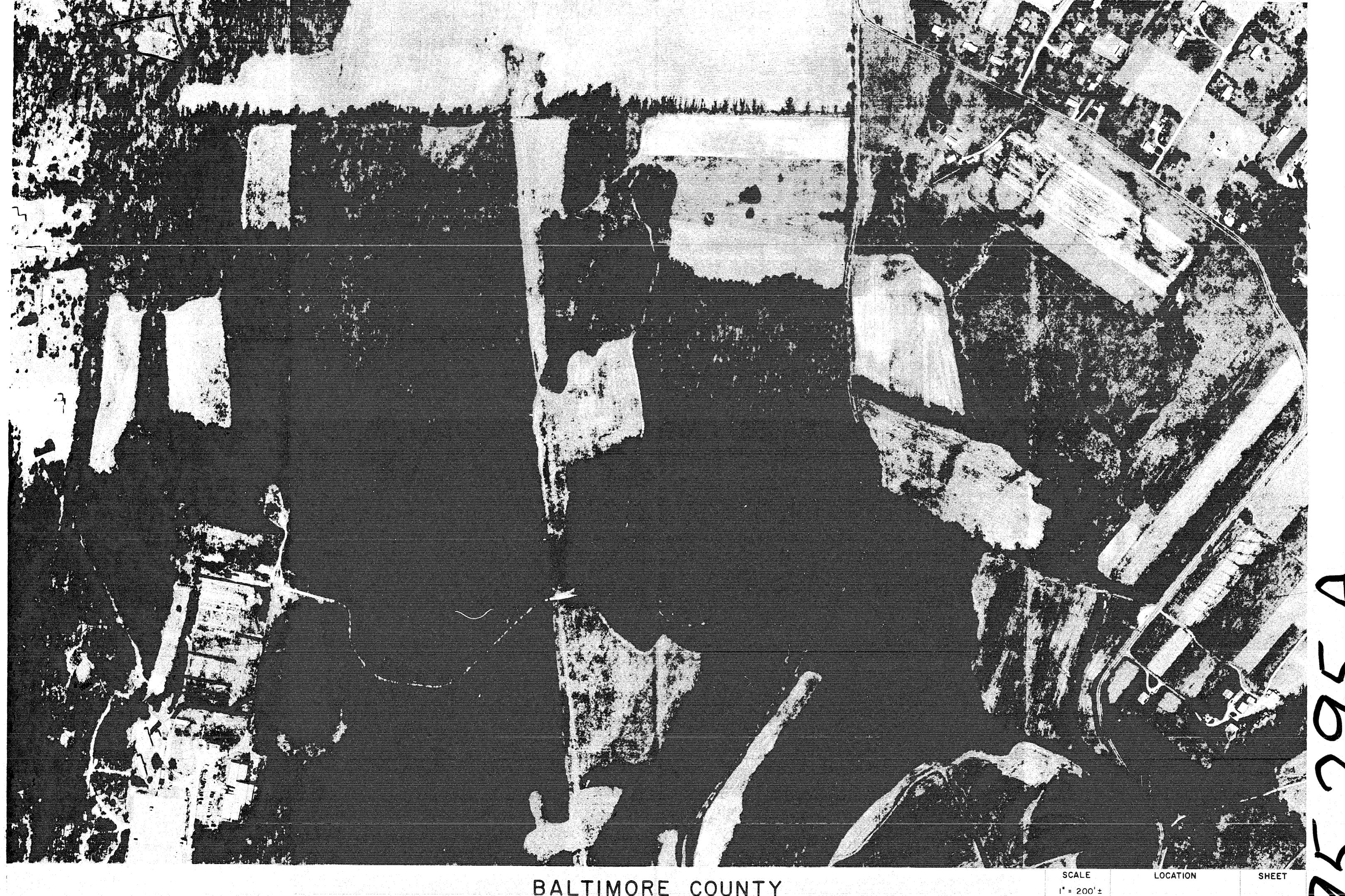
11529 NOTCHCLIFF RD.



PINEHURST LANDSCAPE COMPANY LONG GREEN, MARYLAND 21092

(301) 592-6766

292



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

 $1'' = 200' \pm$

DATE OF PHOTOGRAPHY JANUARY 1986 GREENWOOD

WEST OF